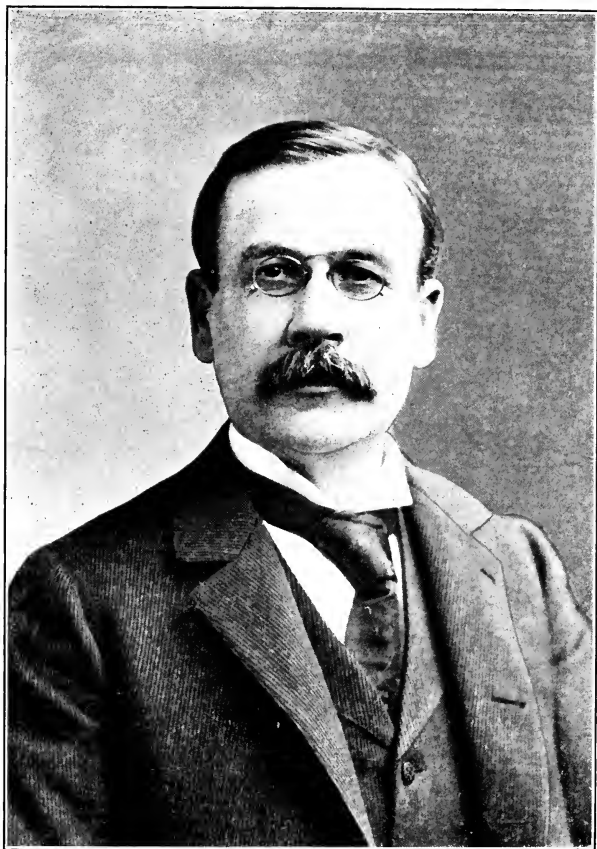


In Memoriam

Johns McCleave





John W. Cleave

In Memoriam

Johns McCleave

Born in Hardy County, Virginia

August 3rd, 1853

Died in Atlantic City, New Jersey

March 14th, 1911

Digitized by the Internet Archive
in 2009 with funding from
University of Pittsburgh Library System

Transcript of

Minutes of the Meeting of the Allegheny
County Bar Association held at the
Association Rooms, Court House, Pitts-
burgh, Pennsylvania, March 31st, 1911
at three o'clock P. M.

THE Allegheny County Bar Association met at the Rooms of the Association, pursuant to call of the Committee on Biography and History, the purpose of the meeting being to take suitable action on the death of Johns McCleave, a member of said Association.

The meeting being called to order, the Honorable Jos. M. Swearingen was elected President.

On motion, the following gentlemen were elected Vice Presidents: Hon. S. L. Mestrazat, Hon. William D. Porter, Hon. John M. Kennedy, Hon. Robert S. Frazer, Hon. James R. Macfarlane, Hon. J. J. Miller, Hon. Joseph Buffington, Hon. Charles P. Orr, Hon. Samuel A. McClung, Clarence Burleigh, Esq., Edwin W. Smith, Esq., James R. Sterrett, Esq., and Hon. George T. Oliver.

On motion, the Secretaries were elected as follows: John S. Wendt, Esq., Owen S. Cecil, Esq., and Florence C. Miller, Esq.

On motion, the President was authorized and directed to appoint a Committee on Resolutions:

Whereupon the President appointed the following gentlemen as a Committee on Resolutions: D. T. Watson, Esq., Chairman, George B. Gordon, Esq., Lewis M. Plumer, Esq., and A. P. Burgwin, Esq.

President, Hon. Joseph M. Swearingen, then made the following address:

Gentlemen of the Bar:

We meet this afternoon to honor the memory of our departed friend, Johns McCleave. Well may we do so. He was no ordinary man. He was, indeed, a very extraordinary man in many particulars. He was endowed by nature with great parts. Born and reared in a home full of refinement and of religious influences, he reached manhood strongly equipped for a career in life. His parents were able, with some deprivations, to give him a sound education, collegiate and legal. And he was capable, by reason of his abilities, of acquiring a preparation for his profession, second to none. So that he came to the bar with a fine mind, was well trained in the learning of the past; and above all, he was well trained in the principles of right and justice.

He came to the bar of Allegheny County in May, 1881. He soon took rank with the prominent. Perhaps the fact that he represented a very important client, brought him into prominence in a shorter time than otherwise, but still he could not have acquired and maintained his high position if he had not possessed the qualifications which we all know were his. In truth, he very soon became known and was sought as a lawyer, in a manner away beyond the standing of a solicitor for one of the great railroad systems which enters Pittsburgh. He was a great lawyer. All those who met him in consultation, or who faced him in the forum, knew the quality of man with whom they consulted or with whom they had to contend.

But to speak only of Mr. McCleave's greatness as a lawyer is to do scant justice to his attainments. When he entered upon the labors of his profession, he did not, like too many, give over the pursuit of other studies. He believed with the learned counsellor in Guy Mannering, that

"A lawyer without history or literature is a mere mechanic, a mere working mason; if he possesses some

knowledge of these, he may venture to call himself an architect."

He early surrounded himself with the best of books, and he devoted himself to their study. It is no disparagement of others to say that he was the best read man of his time at the Pittsburgh bar. And his study was not confined to any one line. He was a student of history, of religion, of poetry, of romance and of science and philosophy; and he was well informed upon all of these subjects. Perhaps his remarkable memory made it easier for him to indulge his delight in literature, but his great love for the beautiful and the noble was the real reason for his great attainments outside of his profession. No man could have taken such a delight in the great writers and poets and in the great masters of the art of painting and sculpture who did not possess a refined taste to a superior degree and who was not an accomplished scholar. All of this made him a most delightful companion. As an instructive conversationalist, he was unsurpassed, for he had read and mastered the great works of the past, and he could illumine the questions of the present by ready reference to what had been written by those to whom it is worthy that we should listen.

But above all he was an honest, manly, courageous man. His honesty was not the ordinary. It was ingrained; it was a part of his being. He never sought to deceive himself by intellectual gymnastics, either for the purpose of winning success or of adding to his gains. He practiced law that justice, as he understood it, might be done. Neither court nor opposing counsel ever hesitated to accept a statement by Mr. McCleave, because he had the intelligence to know that of which he undertook to speak, and he would not attempt to practice deception.

He was manly in all his dealings. There was nothing mean about him. He never bent the knee to those in place or power, and he had the courage of his convictions. Never would he shift upon others that for which he was, or, of right, ought to be responsible.

No one could know Mr. McCleave without admiring his great attainments, and without respecting his massive learning and his great qualities as a lawyer and as a man. He has gone from amongst us. His place will not soon be filled. Well may we mourn his loss; for indeed, our loss and the loss of this community are great.

The Committee on Resolutions submitted the following report through its Chairman, Mr. D. T. Watson:

Gentlemen of the Bar:

Johns McCleave, the son of Robert H. and Sarah Ann McCleave, was born on a farm in Hardy County, Virginia, August 3rd, 1853. He died at Atlantic City, New Jersey, Tuesday afternoon, March 14th, 1911, in his fifty-eighth year, and was buried in Rose Hill Cemetery, Cumberland, Maryland, on Thursday, March 16th, 1911, in the family lot.

His early life was spent on the farm, and his education was from a tutor, but in 1863 his family moved to Cumberland, Maryland, at which place he attended Carroll Hall and the Allegheny County Academy until 1870. Then he spent three years in the University of West Virginia at Morgantown, and in 1874 he entered the Harvard University at Cambridge, Massachusetts. His health was impaired by overwork and grief at a brother's death, and he left college, subsequently studying law at Baltimore, Maryland, with A. H. Boyd, a practicing attorney at that place. After a term at the

Maryland Law School in Baltimore he was there admitted to the Bar in 1877; then formed a partnership with Mr. Boyd, practiced law there until 1881, when he moved to Pittsburgh, and practiced here until the time of his death. In 1880 he married Miss Anna M. Robbins of Cumberland, who survives him.

In stature he was some five feet, eight inches, and sturdily built. His head was large and his face expressive of force, power and courage. He was scrupulously truthful and honest and high minded. He despised trickery and fraud. A servant to the truth as he saw it, he was a man who would stand for his views, and if fight he must, deal sturdy blows for his side. He could, and at times did, face loss of place and prestige rather than bow to powers he did not approve. Especially he loved the mountain-top-ways of his profession where the outlook was wide and the air was pure. He could, and he did, with force and power, struggle in the court room for his cause, but his outlook was broader and his love was not in conflict, but communion with the past and views of the future. Well read as he was in law, he was still better read in history, literature and poetry,

—Milton and Shakespeare and Webster were his friends. The Bible he studied and knew. The religious controversies of the last thirty years interested him deeply, for he was a searcher after truth, and greedy for knowledge. His memory was extraordinary. With ease he learned, without apparent effort he remembered, and he frequently quoted largely from the authors he loved. Pages of Milton's *Paradise Lost*, which told of the Battle of the Angelic Hosts, the awful gloom and power of Satan and his final overthrow were oft repeated by him.

He made no effort to win social popularity, but he delighted in the companionship of his friends. When his strong prejudices were aroused, and he had formed his own judgment of individuals, he took no trouble to conceal his dislikes. There was no pretense in him. As the years passed and his reputation grew, he mingled less with his fellows. Only a few friends, and those mostly who had learned to value him in former years, knew of some qualities of his nature. With no children of his own, he loved all children. Under the gruff exterior there was a peculiarly sensitive man, unusually

appreciative of kindness. He loved pictures and flowers and music, and had an intimate acquaintance with, and a great admiration for, the classic devotional books, such as Augustine's "Confessions", "The Imitation of Christ", and Taylor's "Holy Living".

Without exaggeration, he was great as a lawyer. Not in the sense that Lord Coke or Lyttleton or Selwyn—or Chitty or the old special pleaders—were, who lived with and were bound in sheepskin, but in a much broader, wider type, more like Marshall and Sharswood and Shaw. Interested in a question or case, he studied and worked, but he did not love this side of the profession, and he avoided such work when he could.

He had a logical, analytical, and, I might say, as to law, a mechanical mind. His argument must be flawless—his premises must be sound—his conclusions, the inevitable result of the facts from such premises. Every step he advanced to prove his case must find firm footing—each step must be one forward from the last. The end must be the truth—the conscientious, judicial decree which administered substantial justice.

His method of presentation, while not ornate, was easy, calm and coherent. Brightened it may have been once in a while with just enough color to relieve the gray subject matter, his mode of appeal was such as to rivet the attention of the Court, and strongly persuasive of the end he strived for.

He was markedly successful as a lawyer; had a large and lucrative practice, and was well known to the Bar of his own and adjoining states.

In private intercourse and at social functions he was kind and genial and gentle. At times he vied with, indeed led others, in repartee, in novel propositions and hilarious criticism, but he did not willingly inflict pain and his heart went out to sooth the sorrowing. He did revile and denounce with heat those he deemed false to the highest and best interests of our profession, and especially those who sought by unfair means to coerce or deceive or flatter a Judge to gain a decision. The hardships of life, the unmerited failures and mishaps and the undeserved success of men he knew to be unfit for the place they held vexed and perplexed him as they did Job.

On the retirement of a friend, President of one of our banks, he delivered a brief oration which reads as a classic, and tells Mr. McCleave's own views of life—

Starting with the proposition—

“for even in man's abundance his life is not from the things which he possesseth”,
he tested his question as to *what was success in life* by a wonderful sketch of Paul, saying—

“To test the question in this way, I took the life of a Jew, afflicted with a chronic disease, and as tradition paints him, short of stature, black whiskered, black haired, heavy browed, with keen, grey eyes. This is the man who organized the teachings of Jesus, beat down the prejudices of his own race, gave Christianity to the world, and established it in its career, conquering and to conquer for all the centuries to come; under whose inspiring teaching, in the bloody ages gone, what little child, what tender woman, as Browning puts it, ‘who did not clasp the Cross with a light laugh; or wrap the burning robe round thanking God’; who has undoubtedly by his work, imprinted himself upon the

world far more than any man who ever lived 'in the tide of times'. This is, and must be, man's judgment of him, and his life now."

He then showed Paul's poverty, and yet with that poverty was such success as man had never seen; and then he said:—

"In the presence of such a life . . . cupidity and false valuation of things disappear, and the weaknesses of the weak are strengthened. The influence of truth, impersonated in a life . . . while silent and impossible of measurement, is none the less real. It is true that,

"'No stream from its source flows seaward, however so lonely its course, but what some land is gladdened;

"'No life can be pure in its purpose and strong in its strife, and all life not be purer and stronger thereby.'

. . .

"It is the true life:

"'Else earth is darkness at the core.

And dust and ashes all that is.'

"So while I cannot measure the value of this life as great in houses and lands, or the contents of a

strong box, yet in its condemnation of covetousness, in its protection and strengthening of all under its influence, in the encouragement and new hope it has given the hesitating and despairing, by its setting forth of the true in rebuke of the false, its value to all life, to progress and to man is immeasurable. If you must have it in the terms of time, of such the Lord of Hosts, by the mouth of His prophet, has said:

‘They shall be mine, in that day when I make up my jewels.’

“In the poetic imagery of the old Hebrew, a jewel upon the breast of the Infinite Power. Not all the bank vaults in all the world can buy it.”

Turning to the retired President Mr. McCleave then said:

“And now,

“ ‘Thou, O Spirit, that dost prefer

Before all temples the upright heart and pure:’

“have him in thy keeping; grant unto him length of days and fullness of honors; in his blindness illumine him with that invisible Light that comes

not with the rising of the sun, nor fades at the approach of night; let his light shine into the darkness to mark for the fallen the way to rise, to strengthen the weak, to encourage and give new hope to the despairing; and by the peace, repose and 'confidence of a certain faith', manifested in him, attained only in the sunset of life, after one has fought it out with God and man, and has prevailed, teach the world again the truth: 'To him that overcometh, to him will I give to eat of the tree of life, which is in the Paradise of God.' "

Mr. Chairman and Gentlemen of the Bar, these recurring bar meetings always repeat, yet never answer the riddle of existence; yet they do this: Amid our ignorance of time extension and thought and space, they emphasize our ideas of professional life and success. This one shows that we *now* do honor our departed member because he was a man. He was honest and truthful and brave. His professional life may be read and studied by all men, and the man who reads and the Bar which approves such a life will be the nobler and better for it.

By MR. GEORGE B. GORDON:

We have received some letters from some of our friends who were not able to be present to-day, and which I am asked to read.

The first is a letter from Hon. S. L. Mestrezat:

"I was not aware of Mr. McCleave's death until the receipt of your letter advising me of the memorial meeting of the Allegheny County Bar Association to be held to-morrow afternoon. I greatly regret that my official engagements here will not permit me to join the Association in paying a tribute to the memory of one who for so many years was my intimate friend.

I knew Mr. McCleave well. Prior to his going to Pittsburgh he was associated in the practice of the law at Cumberland, Maryland, with the present Chief Justice of that state who was my classmate at Washington and Lee University. He became the resident counsel at Pittsburgh of the Baltimore and Ohio Railroad Company. Shortly thereafter, I assumed a like relation to the company at Uniontown, which continued until I went on the Bench of the Fourteenth Judicial District in 1894. During my connection with the company I

was frequently brought in contact with him and had the opportunity to know him as a man and as a lawyer. His professional engagements brought him before me while I sat in the Common Pleas, and, as the members of your Association well know, he appeared as counsel in many important cases in the Supreme Court.

As a lawyer, Mr. McCleave had few superiors at our Bar. He was quick,—he was alert. He was well grounded in the law and had a reserve force of legal knowledge that enabled him to meet any emergency sprung in the argument of a case. He excelled in the preparation of a cause in the Appellate Court, as its members frequently remarked. He was quick to recognize the controlling questions in his case, and in the brief dealt with them to the exclusion of minor and unimportant details. He familiarized himself thoroughly with both the facts and the law of the case. This was recalled by one of our brethren at the consultation this morning in relating an incident which occurred in the argument of his last and a very important case before us in this city last year when the enfeebled body told only too plainly that disease was then upon him.

Mr. McCleave was a man of strict integrity. If at times he was brusque, he was at all times frank and candid, a commendable trait in the lawyer or the layman. He fell too early in life's battle, and his death will be most regretted by those who knew him best, but by none, more than he who pens these lines.

Sincerely yours,

S. LESLIE MESTREZAT."

The next is a letter from Mr. John G. Johnson, of Philadelphia:

"Understanding that there is to be a meeting of the Allegheny County Bar, during the month, for the purpose of taking action with reference to the late Johns McCleave, may I ask you to present this letter by way of expression of the great regret with which I have heard of Mr. McCleave's death?

He was one of the most able and thoroughly equipped lawyers of this Commonwealth.

With an unusually discriminating mind, he was able to appreciate at its proper value and in its proper relation, the vital point of his case, and, with his extraordinary powers of argument, he was able to present it with the greatest force.

I know of no one of the Pennsylvania Bar who could prepare a more thoroughly excellent printed Brief, or who could present his case orally, more convincingly.

I am,

Very truly yours,

JOHN G. JOHNSON."

Also a letter from Mr. Lyman D. Gilbert of Harrisburg, Pa.:

"Please allow me to say that I have heard of the death of my friend, Johns McCleave, and I deeply lament it.

Long years ago, when my knowledge of him began, I regarded him as a lawyer of uncommon natural powers; of sturdy honesty; of fearless and independent thought; of much learning; and of unusual ability and success in advocacy at the jury-rail, and especially in argument before the Bench. That estimate I have always maintained.

His business frequently required him to appear before various officials of this state, and I remember that successive Attorney-Generals have spoken to me in terms of the highest appreciation of his professional efforts before them.

He was recognized and appreciated by the Bar of the State as one of its ablest members, and his death withdraws from the Bar of Allegheny County a lawyer who sustained its highest character and traditions. Better praise than that no lawyer need ask.

Very truly yours,

LYMAN D. GILBERT."

Mr. M. Hampton Todd writes as follows:

"It was with great sorrow that I learned of the death of Mr. Johns McCleave. I have known Mr. McCleave for many years, and I thought he had one of the finest legal minds that it had ever been my pleasure to come in contact with, clear, simple and direct, with a due sense of proportion which always led him to develop and stand on the strong points of his case, and I think this was the opinion which was generally held of him by the lawyers of our State. His Supreme Court paper books were models of their kind. I have a number of them which I have filed away for reference as occasion may require. Personally I had a great admiration for Mr.

McCleave, and the Bar of this State in his death has lost one of its most eminent members.

Very truly yours,

M. HAMPTON TODD."

This is a letter from Judge McClung:

"I wish you would convey to the bar my regrets that I am unable to attend the meeting to-day in memory of our friend and brother, McCleave.

I esteemed him very highly, and would most willingly join in doing honor to his memory. He was really a remarkable man. His learning was great, his reasoning powers were great, his literary culture was great, and his force of character was great. His honesty and candor were known of all—and although he was, of course, not always right, those who dealt with him always knew where he stood, and knew that he could be trusted to maintain his standing.

He was not a man of pretenses. He never made a pretense of being better than he was. It would perhaps be quite correct to say that he pretended that he was not quite as good as he really was.

He sometimes assumed a gruff manner and speech which did not truly represent him—for in fact he had a heart tender as that of a child. He was too strong a character to have no enemies, and he did not disguise the fact that during his life he had met a number of people whom he did not like. Take him all in all he was a good and useful man, and by his death this community and this bar, of which he was an able and honored member, has sustained a great loss.

I enjoyed his friendship for many years, and I think it proper to say that it was not one of those negative friendships, which depends upon the fact that there is never a difference of opinion.

The bar may well put on record its estimate of the man.

For myself, I simply say that I shall ever hold Johns McCleave in honored and loving remembrance.

Truly yours,

S. A. McCLUNG."

Mr. George B. Gordon then made the following address:

Mr. President and Gentlemen of the bar:

Mr. McCleave was in many respects the ablest lawyer at our Bar. He was a profound student, with an honest mind. His methods were logical and direct and he never deceived himself by sophistry. He believed with St. Paul that "the law is good if a man use it lawfully," and he never used it otherwise.

His established habit was one of unremitting toil. Night and day he was with his books. He was a great student of law, philosophy and history; of poetry, of theology—of the Bible, and this made him the great man, the powerful, overwhelming force that he was. I never had the pleasure of trying a case with Mr. McCleave, but I have tried quite a few against him, and time and again I have been forced to say, soberly and truthfully, that McCleave himself was the whole defense; that what had saved the day for his client had not been the facts as his client had recited them or as narrated by blundering witnesses, but the tremendous force of McCleave himself,—the power of a giant intellect driving home an honest legal proposition. Surely he was "a workman that needeth not to be ashamed."

He was an honest, faithful friend, despising all sham and pretense, but had a naturally brusque habit, and those who did not know him well did not appreciate his warmth of heart. When you once had McCleave's friendship he would make any sacrifice for you and believe nothing against you. All his friends know what a genial and delightful companion he was.

All his greatness of heart and mind gained him a great reputation in the community, a high position at the Bar; great cases were brought to him for trial, hard and important questions for his opinion. Those who employed him had the money with which to reward him, and he stood on the pinnacle of his profession, wrapped in honor and wealth, the envy of his less fortunate, less able and less laborious brethren.

And then his health began to fail and this seemed to color his mind. It was the same honest mind, the same courageous mind, but he seemed to have become interested in, or, at least, his mind seemed to dwell on the more somber side of life. Student of poetry that he was, he seemed to be interested in the poetry of sadness rather than of joy; in the unsolvable problem

of the presence of good and evil in the world, in those theological doctrines which no one can fathom rather than in the simple gospel of faith, and finally he seemed, like many others who have puzzled their minds over the unknowable, to have reached a state where the lines he often quoted,—

“—but what am I?

An infant crying in the night,

An infant crying for the light,

And with no language but a cry.”

became truly descriptive of his own uncertainty and distress.

For the last six years his health has been poor, but his powerful mind still dominated his frail body. The last argument I heard him make was in the Supreme Court in a very important case, at a time when he was confined to his room by illness, and left it only to drive to the court room when the case was called, but, though scarcely able to stand, he was the same powerful and convincing advocate, and that day made an argument which saved his client over \$200,000.

And all these years of illness only served to confirm in him the conviction that "The truth is always the strongest argument" and that "No pleasure is comparable to the standing upon its vantage ground."

Now he has left us, what shall we say of "the never ending flight of future days?"

Can it be that these years of toil, of struggle to know the truth, and to be truthful, count for nothing, are nothing?

Can we not go further than the old Greek philosopher
"Who knows but life be that which men call death,
And death what men call life."

Surely, surely, we can leave him, with the same faith that he expressed when one of our dear brethren left us, "in the confidence of a certain faith" that such a life "cannot wholly perish" and that it is true that "Death cannot close such an history."

Remarks of Mr. Joseph Stadtfeld:

I feel that I would be remiss in my duty were I to let this occasion pass without putting upon record the esteem in which Mr. McCleave was held by one who, until recently, occupied the position of Chief Justice of the Supreme Court of this state.

Some four or five years ago while I was spending the summer at Cape May, Mr. Chief Justice Mitchell was stopping at the same hotel, and I met him almost daily, and in a conversation which turned upon the Bar of this state, when the lawyers of this portion of the state were mentioned, he told me that the best paper books which had ever been presented to him while presiding in the Supreme Court, came from the hands of Johns McCleave. This was the estimate of a Judge. We all, judges and lawyers alike, can bear testimony, no doubt, to the greatness of our beloved friend as a lawyer. But it was in a far different light that, in my judgment, this life will have made its impress upon the human race; it was his greatness as a man. It was a privilege to have known him. In these days, when the commercialism of the age has invaded even professional ranks, it is refreshing to reflect upon the life of a man who measured success in life not by its material results, but the higher aim, the higher ideal, that our friend had. When I read the speech from which the committee quoted, I there saw the index to the life of Johns McCleave. His aims were high—his ideals

noble. That beautiful picture which we hold of his life will be a heritage to his family, to his friends and to all who knew him. Certainly, when that record of a good influence and a noble life is passed for judgment to that Higher Court, which will pass judgment upon us all, we may safely say, with that assurance born of faith, that there will be an affirmance of the high opinion which was held of him by his fellow men.

Remarks of Hon. W. D. Porter:

When, about thirty years ago, Johns McCleave, a young man, came to the Allegheny County Bar, he was a stranger in this city, with no fortune but his talents. The independence and hardihood of his character rendered it impossible for him to seek success through the influence of others. What he was to win, must be won through his own ability and worth, the principles for which he stood and his commanding intellect. He has passed through every stage in the honorable practice of his profession, from the trial courts to the highest courts of the state and nation, and has long been recognized wherever he appeared as a lawyer of high character and wonderful ability. The

things which have been read from the letters of great lawyers here to-day, referring to him, are to my mind, but echoes of the past, for I have heard these same men, while Mr. McCleave was in full life, express the same opinions. Other leaders of the profession throughout the state regarded him as a lawyer of remarkable strength and rare attainments. He was a man of great mind, force of character and kindness of heart. The truth was always his guide. He never devoted one moment of time to anything for the purpose of bringing himself into personal prominence. He naturally shrank from notoriety. There never has been a time when any member of this or any other bar could say that Mr. McCleave's work had not been admirably done, or that he had been unfair, or that he had failed in courage. His distinguished career is accomplished; his work in this life is done. These are his legacy to his profession.

Remarks of Mr. W. B. Rodgers:

I knew Mr. McCleave from a few years after he came to this Bar, and knew and watched his progress. He came here almost an entire stranger, but it was only a short time until any member of this Bar could say, there is a man who will make his mark. And he

did make a most wonderful mark at this Bar. Everybody could see that there was a great lawyer, and in a difficult case you could not get any person at this Bar upon whose judgment you could rely more implicitly for aid and for success than upon him. In addition to being a great lawyer, he was one of the strongest characters that I ever knew. I have thought often about it—from what ancestry,—from what great, strong ancestry has that man come? Strong in his convictions,—possibly sometimes too strong in the expression of his convictions,—because sometimes perhaps it is better to yield and to bow a little as we go through life. But there was a man who would not do that,—who would not yield, no matter what the consequences were to him; he would not yield in any event. Then, he was a man of varied attainments. One of the most accomplished literary men that I ever knew. He was most interesting with respect to his reading. I have been with him in his library, and, the conversation turning upon literary points, I recollect so well the interest with which he would go to his library and look through book after book to find the statement that was wanted with respect to the particular subject. He was a wonderful student of history. At one time his studies

were carried on in the Anglo-Saxon—books in the Anglo-Saxon language. And how he did enjoy all those things. I recollect of standing with him on the battle field of Hastings, and he pointed out the hill down which the Norman army marched to the place where Harold stood and came to his death. He was, as I was, intensely interested, and it was a pleasure to be with a man who understood his subject and was an enthusiast on his subject.

Now we have lost him. We have lost in the death of Mr. McCleave, in my judgment, the greatest character that has been at this Bar for five or ten years. Those of us who are older, and those who are younger also, will always recollect this strong, remarkable character, and Mr. McCleave will never be forgotten at the Bar of Allegheny County.

The minute presented by the Committee on Resolutions was unanimously adopted, and on motion of A. Y. Smith, Esq., a copy of the same was ordered transmitted to the family of Mr. McCleave, and a copy also spread upon the records of this Association.

